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BUDAPEST FOR OSCE, USEU FOR MEZNAR

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SUBJECT: COMMONWEALTH OF INDEPENDENT STATES CONFERENCE
PROCESS ENDS

11. (U) SUMMARY. An October 10 meeting in Geneva marked the end of the decade-long CIS Conference Process, originally created to address problems of refugees and displaced persons -- as well as statelessness -- arising out of the break up of the Soviet Union. Although a final conference statement was endorsed by all and there was a perceived need for a follow-on mechanism, no decision was made on new structures to continue the dialogue on migration and refugee issues. Two distinct visions emerged: (1) Belarus, proposal for a CIS dialogue managed by a permanent secretariat in Minsk that would be partially funded by Russia; and (2) Moldova's proposal for sub-regional ad hoc meetings, as needed (with Georgia, Ukraine, Azerbaijan and Moldova forming one nucleus). A technical meeting will be scheduled in early 2006 to try to find agreement. Uzbekistan's absence was in marked contrast to previous participation in the CIS Conference Process. PRM/ECA Etta Toure and USEU/PRM Marc Meznar represented the U.S. in the meeting, which was co-chaired by the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM). END SUMMARY.

Meeting Overview

12. (U) The CIS Conference Process was established to "Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighboring States." The purpose of the 10 October meeting in Geneva was to conclude the CIS Conference Process, adopt a final statement, and look ahead towards a possible new flexible framework for Euro-Asian cooperation on migration, asylum and displacement issues. At the day-long meeting, participating CIS countries, their neighbors, Friends and observers of the process read statements and discussed accomplishments and future plans for addressing the migration challenges that continue to confront the region. Remaining gaps in the implementation of policies related to asylum and protection were mentioned as a concern by the majority of delegations. Delegates also addressed issues related to security and combating terrorism, border management, increased movements of migrants and asylum-seekers into and across the region, trafficking in persons and xenophobia.

13. (U) Meeting participants included the Russian Federation, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, and Ukraine. Turkmenistan and Uzbekistan were absent. The Council of Europe, the United Nations Development Program (UNDP), the Organization for Security and Co-operation in Europe (OSCE), the International Labor Organization (ILO) as well as lead NGOs, including the Danish Refugee Council, Georgian Young Lawyers Association and Non-Violence International were represented. Other Friends of the Process, neighboring countries and observers including Austria, Bulgaria, China, the Czech Republic, Denmark, Estonia, France, Finland, Germany, Islamic Republic of Iran, Ireland, Latvia, Lithuania, Poland, Portugal, Romania, Switzerland and Turkey were also represented. Many of these countries noted the accomplishments of the Process and congratulated participating CIS governments and partner organizations -- UNHCR, IOM, the OSCE and the Council of Europe -- for the marked successes in developing concerted efforts, policy measures, legal structures and practical mechanisms to manage the largest displacement challenge of the last half century. Participating CIS countries thanked partner agencies and donors and summed up their accomplishments, lessons learned, as well as future plans on migration issues in the region.

CIS Countries on the Process

14. (U) Belarus highlighted the effect of the newly established external frontier of the European Union (EU) on its western border in drawing more migrants and refugees into its territory and said that the financial and technical assistance given by IOM and UNHCR to adopt legislation and

establish facilities that meet international standards was extremely useful. Over 3,000 asylum requests from 33 nationalities have been filed and adjudicated by Belarusian authorities since acceding to the Geneva Refugee Convention. Belarus announced plans to formally join IOM this fall, noting that migration remained a central challenge for the CIS countries. Belarus noted its country's active participation in the EU-funded Soderkoping process and said that the EU and countries beyond should be welcomed to continue engaging with this new structure for the CIS both as financial contributors and as countries affected by international migration.

15. (U) Moldova stated that the 1996 CIS conference managed to carry out its tasks and that it was now time to devolve action to flexible, action-oriented groups not supra-national in format -- at the sub-regional level. Moldova noted that the EU was opening a full-fledged delegation in Chisinau and that its program of action with the EU contained a specific chapter on migration/asylum. Additionally, it was cooperating with the Stability Pact for Southeast Europe in these matters. With Romanian accession to the EU, Moldova said it expected to experience more flows of migrants and refugees into its territory. Moldova noted it was the first CIS country to adopt a humanitarian status or tolerated stay for those who did not meet Geneva Convention definitions but who would not be sent back to regions of conflict; those denied asylum were also given the chance to appeal the decision. Other developments included giving UNHCR full access to prisons, ports of entry and airports. Moldova also highlighted an invitation to both the EU and the U.S. to help monitor the border with TransDnistria.

16. (U) Russia said it attaches great importance to the issue of migration and that Russian President Putin is very involved in the issue, particularly as it relates to the Russian economy, its large territory, terrorism, as well as legal and illegal people movements. Russia reminded participants of its role in the Process and express its desire for a new platform for continuing the Process with cooperation by all. It welcomed international assistance in this effort and is ready to work with international players.

17. (U) Ukraine said that as a transit point between east and west, it faces major challenges in combating trafficking. Ukraine also highlighted its accomplishments since the establishment of the Plan of Action, and underscored the role of international assistance. Ukraine has adopted new laws to address the problems of migration; it has created a data base on migration related issues and supports international dialogue to address gaps and challenges in migration. Ukraine welcomed the attention by the OSCE to the issue of the Crimean Tatars. Ukraine supports the return of more than 250,000 Crimean Tatars who are struggling to reestablish their lives and reclaim their national and cultural rights against many social and economic obstacles.

18. (U) Armenia and Azerbaijan noted the major cause (the Nagorno-Karabakh conflict) of displacements in both countries and highlighted accomplishments in establishing migration policies, the continuing challenges and the need for international support to combat trafficking in persons. Both countries emphasized their assistance to their displaced populations -- 800,000 in Azerbaijan and 300,000 in Armenia, according to both countries. Armenia has included assistance for their displaced (ethnic Armenians who fled Azerbaijan) in its national plans, while Azerbaijan has set up an Oil Fund to move its IDPs to permanent settlements.

19. (U) Kazakhstan said that international migration has been an important phenomenon during the years following its independence, noting that for the first time last year there was balance between the numbers of those emigrating and immigrating. In 2004, over one million foreigners were present in Kazakhstan, including up to 300,000 illegal migrant workers. Kazakhstan said it was working with neighboring states to regularize the status of these migrants. Recent steps to manage immigration included: a) adopting a process for issuing visas and residency permits simultaneously; b) establishing a training center, which could be used by other countries; c) assisting returning ethnic Kazakhs, victims of trafficking and refugees; e) setting up an electronic database of refugees; and, f) moving towards biometric passports. Kazakhstan said that it was working with Russia to stop illegal immigration because it was worried that this phenomenon could assist terrorists to move between countries.

10. (U) Kyrgyzstan warned that negative trends in migration were causing geopolitical instability in Central Asia. Kyrgyzstan expressed concern over the treatment of Kyrgyz laborers abroad, noting that it had acceded to the Convention on the Rights of Migrant Workers and other key international instruments. The Kyrgyz delegate expressed thanks to Russian authorities for resolving status problems connected to migrant workers and said that the Migration Office would soon

open a branch in Moscow. Within Kyrgyzstan, assistance was being given to many of the 15,000 returning ethnic Kyrgyz, the over 4000 registered refugees and 500 asylum seekers. Kyrgyzstan said that the inflow of Uzbeks had not stopped and that it was unprepared to receive another large influx like the group of 500 that had crossed the border in May and had stayed in-country for two months before being resettled to third countries. Kyrgyzstan said that more work needed to be done at the sub-regional level for dealing with new refugee flows, as well as statelessness.

11. (U) Tajikistan said its on-going priorities include: improving the legislative basis for refugee/migration issues; managing migration flows; signing bilateral and multilateral agreements; curbing illegal immigration; training officials; and signing agreements with countries of destination for labor migration. Regarding expatriate migrant laborers, Tajikistan said that it has developed a strategy document that includes providing good information prior to departure. Tajikistan also said that the plight of IDPs and ecological migrants needed to be addressed.

12. (U) Georgia's Minister of Refugees and Accommodation, who did not come prepared to make an opening statement, applauded the accomplishments of the Process and highlighted Georgia's problems in addressing issues related to IDPs, refugees and ecological migrants.

13. (U) Uzbekistan's absence was in marked contrast to previous participation in the CIS Conference Process. Like neighboring Turkmenistan, the Uzbeks increasingly are isolating themselves from discussing migration and refugee issues with their neighbors and re-establishing a Soviet-type concept of border control.

Replacing the CIS Process: Two Schools of Thought

14. (SBU) Though the CIS Conference Process has officially ended, it was obvious from statements presented by governments, as well as private conversations with the participating officials, that there are two schools of thought on the replacement of the CIS Conference Process. During the conference, Belarus proposed a new system of dialogue for the greater CIS region that would involve international organizations and be coordinated by a permanent secretariat in Minsk. Russia and Tajikistan supported

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Belarus' proposal during the plenary session. In a private conversation, the Russian representative told PRMOFFs that Belarus' proposal was suggested by UNHCR and that Russia was prepared to contribute \$200,000 towards the establishment of a secretariat in Minsk. When asked if the venue could be elsewhere, he said (after an awkward silence) that Russia was flexible and would likely support any consensus decision for replacing the Process. Armenia, which is not part of the GUAM countries, supports the Belarus proposal for replacing the CIS process, as do the Central Asian countries.

15. (SBU) The second school of thought advocated by many who consider the Belarusian proposal a Russian plot to control the dialogue was proposed by Moldova and includes flexible, action-oriented groups at the sub-regional level. Moldova stated that Georgia, Ukraine and Azerbaijan had agreed with them to form a sub-regional group (GUAM) which would be more oriented to the European Union and other international partners. Ukraine said that any new arrangements to replace the CIS Process must address today's migration challenges through bi-lateral and regional approaches. Georgia clearly rejected the Belarus proposal for a secretariat in Minsk. GUAM officials told PRMOFFs that they did not feel there was enough confidence among the CIS countries to have a secretariat in one of the countries. Specifically, it could

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not be in Belarus or Russia -- particularly since Russia would have leverage with its funding prerogatives.

Donors' Position

16. (U) Friends and observers of the Process, including ILO, UNDP and the USG expressed their readiness to contribute actively to the next stage of international cooperation in regulating international migration and addressing displacement across the CIS. They also welcomed impetus towards developing comprehensive regional, sub-regional and national frameworks. Following is the USG's formal statement on the conclusion of the CIS Conference Process:

// U.S. STATEMENT //

At the 1996 CIS Conference we embarked on an almost

unprecedented journey. The Program of Action, with its comprehensive strategy and its underlying principles of human rights and refugee law, was indeed ambitious. It has been quite a journey we have learned many lessons, much has been accomplished, but many challenges remain.

I would like to express my government's gratitude to UNHCR, IOM and OSCE for their significant efforts in assisting the CIS governments to make substantial gains in addressing some of the difficulties associated with refugees and migrants in the region. The partnership of UNHCR, IOM, OSCE and, later, the Council of Europe in a joint Secretariat has been a unique and successful endeavor.

My government fully supports the affirmed desire by stakeholders to replace the current CIS Conference Process with new arrangements which would provide a flexible, action-oriented and States-owned framework for structured dialogue and cooperation on a comprehensive range of issues related to migration, asylum and displacement. This desire is in line with the basic premise of the Conference process that, over time, the CIS governments themselves would assume greater responsibility for implementing the Program of Action. This responsibility includes prioritization of refugee and migration issues in national agendas, designating increased resources to address unresolved matters, and following through with the political resolve to accomplish the tasks at hand.

As we look to a new paradigm to continue the work begun in 1996, my government would like to highlight two issues that deserve particular attention:

1. Continued capacity building in migration management Since 1996, my government has provided over \$70 million to assist CIS countries on a wide range of migration issues. This assistance to governments and migration sector non-governmental organizations includes capacity building in migration management. With help from IOM, our migration implementing partner, my government's initial contributions allowed for the establishment of IOM offices and cooperation frameworks in migration management in most CIS countries. Today, other international donors are building on these initial investments. However, we cannot lose sight of the importance of continuing to build on these investments to ensure sustainability. Otherwise, we risk losing valuable ground. I urge all stakeholders to keep this in mind as we move to conclude the CIS Conference Process.

2. Overcoming persistent problems - Despite many achievements, we cannot ignore a number of areas that require greater efforts to overcome persistent problems. These include:

- More work on conflict prevention and the peaceful resolution of political disputes;
- Greater respect for human rights and the rule of law; better protection of refugees & IDPs;
- More cooperation on voluntary repatriation;
- Better guarantees of the proper treatment of asylum seekers;
- A need to close the gap between migration-related legislation and implementation in the CIS; and
- Continued efforts to prevent and combat trafficking in human beings, and provide more effective support to victims.

We must renew our commitment to progress in each of these areas. My government's hope is that the structure and modalities following the CIS Conference Processes will provide venues not only to address these problems, but also to sustain what has been accomplished since 1996. /END STATEMENT/

COMMENT

17. (SBU) Russia's decision to put money on the secretariat is a laudable step in the countries of the region taking ownership of the process (one of the long-term objectives of the CIS Process). However, this leadership from the former master is clearly unwelcome in the parts of the CIS that yearn to join western, democratic groupings. There is no doubt that a variety of unresolved migration and refugee issues including trafficking in persons, labor migration, statelessness, and new refugee outflows augur for a continue dialogue among countries of the region. Ideally, a periodic conference that brought together all countries for common themes (like labor migration) could be supplemented by more frequent interactions at the sub-regional level on specific themes (like Uzbek refugee flows). Clearly, migration dynamics have altered significantly in the CIS countries over the past ten years. We recommend continued coordination with IOM and UNHCR as CIS countries strive to map out arrangements that will replace the CIS Conference Process.

